

Notice of Allowability

Application No.

10/050,157

Examiner

Freda A. Nelson

Applicant(s)

KIM ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed May 17, 2007.
2. ☒ The allowed claim(s) is/are 1,3-14,19,20,22-27,29,47-53 and 55-61.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached:
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 6/7/07.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


IGOR N. BORISSOV
PRIMARY EXAMINER

Response to Amendment

The amendment received on May 17, 2007 is acknowledged and entered. Claims 1, 3, 5, 7-8, 10, 12-14, 19, 22-23, 25-27, 29, and 47-48 have been amended. Claims 2, 15-18, 21, 28, 30-46 and 54 have been canceled. No claims have been added. Claims 1, 3-14, 19-20, 22-27, 29, 47-53, and 55-61 are currently pending.

The drawings filed on January 18, 2002 are accepted by the examiner.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview on June 7, 2007 with Samuel W. Nitros Lucien (Reg. No. 39,318).

IN THE CLAIMS

23. (Currently Amended) A method of purchasing multimedia content over a communications network, comprising:
providing access to a website displaying information representing a plurality of multimedia content items and an option to purchase each of said contents with or without a discount;

receiving a signal selecting at least one multimedia content item for purchase at a first prescribed price, from among the plurality of multimedia content items;

selecting at least one advertisement item having a prescribed value, from among a plurality of advertisement items;

combining a content of the at least one selected advertisement item with a content of the at least one multimedia content item; and

determining a final purchase price by reducing the first prescribed price for the at least one multimedia content item by the prescribed value of the at least one advertisement item, wherein the at least one selected advertisement item is pre-assigned for display when the at least one multimedia content is selected, wherein the website displays:

a first selectable icon corresponding to an undiscounted price of the ~~at least one~~ least one multimedia content item; and

a second selectable icon representing an option to purchase the at least one multimedia content item with a discount which corresponds to the prescribed value of the at least one advertisement item.

Allowable Subject Matter

Claims 1, 3-14, 19-20, 22-27, 29, 47-53, and 55-61 are allowed.

The following is an examiner's statement of reasons for allowance:

As per independent claim 23, the prior art of record, specifically Kontogouris (US PG Pub. 200210082910), Miyashita (US PG Pub. 2001/0014876), and Mai et al. (US PG Pub. 2002/0007313) does not disclose or fairly teach:

determining a final purchase price by reducing the first prescribed price for the at least one multimedia content item by the prescribed value of the at least one advertisement item, wherein the at least one selected advertisement item is pre-assigned for display when the at least one multimedia content is selected, wherein the website_displays:

a first selectable icon corresponding to an undiscounted price of the at least one multimedia content item; and

a second selectable icon representing an option to purchase the at least one multimedia content item with a discount which corresponds to the prescribed value of the at least one advertisement item.

As per independent claim 49, the prior art of record, specifically Kontogouris (US PG Pub. 200210082910), Miyashita (US PG Pub. 2001/0014876), and Mai et al. (US PG Pub. 2002/0007313) does not disclose or fairly teach:

(f) providing the third content to a buyer in response to payment of the second price, wherein reducing the price includes:

reducing the first price to the second price by a predetermined value of the selected advertisement;

receiving a third signal selecting another advertisement; and

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reducing the second price to a third price by an amount equal to less than a predetermined value of the other selected advertisement.

As per independent claim 53, the prior art of record, specifically Kontogouris (US PG Pub. 200210082910), Miyashita (US PG Pub. 2001/0014876), and Mai et al. (US PG Pub. 2002/0007313) does not disclose or fairly teach:

(e) reducing a price of the first content from a first price to a second price based on the discount computed from selection of the second content; and

(f) providing the third content to a buyer in response to payment of the second price, wherein the advertisement is pre-assigned for display when the first content is selected.

As per independent claim 55, the prior art of record, specifically Kontogouris (US PG Pub. 200210082910), Miyashita (US PG Pub. 2001/0014876), and Mai et al. (US PG Pub. 2002/0007313) does not disclose or fairly teach:

(e) reducing a price of the first content from a first price to a second price based on the discount computed from selection of the second content; and

(f) providing the third content to a buyer in response to payment of the second price, wherein (a) includes:

displaying a first selectable icon corresponding to an undiscounted price of the first content; and

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displaying a second selectable icon representing said option to purchase the first content with a discount.

As per independent claim 61, the prior art of record, specifically Kontogouris (US PG Pub. 200210082910), Miyashita (US PG Pub. 2001/0014876), and Mai et al. (US PG Pub. 2002/0007313) does not disclose or fairly teach:

determining a final purchase price by reducing the first prescribed price for the at least one multimedia content item by the prescribed value of the at least one advertisement item, wherein determining the final purchase price includes:

reducing the first prescribed price to a second price by the prescribed value of the at least one advertisement item;

receiving a signal selecting another advertisement item; and

reducing the second price to a third price by an amount equal to less than a prescribed value of the other selected advertisement item.

The NPL prior art of record, specifically, "Wired and Kodak Team-up for 12-Month Cross-Media Advertising Push" and "Rich Media Advertising Just Got Richer: Announcing the launch of Zebus", does not disclose or fairly teach:

determining a final purchase price by reducing the first prescribed price for the at least one multimedia content item by the prescribed value of the at least one advertisement item, wherein the at least one selected advertisement item is pre-

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assigned for display when the at least one multimedia content is selected, wherein the website_displays:

- a first selectable icon corresponding to an undiscounted price of the at least one multimedia content item; and

- a second selectable icon representing an option to purchase the at least one multimedia content item with a discount which corresponds to the prescribed value of the at least one advertisement item.

The foreign prior art of record, specifically, WO 200188738A, while disclosing providing multimedia content services from which an audience can select a content through a communication network comprising a memory storing multimedia and advertisement contents, fails to disclose or fairly teach:

- determining a final purchase price by reducing the first prescribed price for the at least one multimedia content item by the prescribed value of the at least one advertisement item, wherein the at least one selected advertisement item is pre-assigned for display when the at least one multimedia content is selected, wherein the website_displays:

- a first selectable icon corresponding to an undiscounted price of the at least one multimedia content item; and

- a second selectable icon representing an option to purchase the at least one multimedia content item with a discount which corresponds to the prescribed value of the at least one advertisement item.

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The remaining dependent claims are considered allowable, as they are dependent and based off of an allowable independent claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Freda A. Nelson whose telephone number is (571) 272-7076. The examiner can normally be reached on Monday -Wednesday and Friday, 10:00 AM –6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).

FAN 06/10/2007

A handwritten signature in cursive script that reads "Heda Nelson".A handwritten signature in cursive script that reads "Igor N. Borissov".

IGOR N. BORISSOV
PRIMARY EXAMINER